

1 get into, I think, maybe a little bit later on. But I was,
2 I was and I wasn't. They had a gentleman that kind of
3 headed up the programming for the FM, but the AM, I had a
4 lot more control over the AM programming than I did the FM.

5 Q Who was the gentleman who was responsible for the
6 FM?

7 A I knew him as Chris Kellogg. He was in Columbia.

8 Q And do you also know whether Chris Kellogg was
9 known by any other name?

10 A I didn't know. No, sir.

11 Q Does Leon Paul Hanks ring any bells with you?

12 A No.

13 Q Were you told anything about Michael Rice when you
14 were hired?

15 A I was not.

16 Q When was the first time that you met Michael Rice?

17 A At the Christmas party. As I said, I was -- I was
18 actually hired prior to Christmas, although all the records
19 show that my start date was the 30th, but the actual hiring
20 was done a few days before Christmas.

21 And I was going back to -- I had driven up from
22 Memphis for the interview, and I was going to go back the
23 next day. And Janet said, "No, I would prefer you to stay.
24 We are having a staff Christmas party," dah-dah-dah. So she
25 wanted me to stay for it, which my wife and I did. And at

1 that party is where I first met Mike Rice.

2 JUDGE STEINBERG: That's Christmas '91?

3 THE WITNESS: Yes, sir

4 BY MR. ZAUNER:

5 Q What did Mr. Rice say to you, if anything, when
6 you met him?

7 A Oh, he just congratulated me and told me that he
8 was delighted to have me with the company, and spoke highly
9 of my background.

10 Q Did he already know of your background then when
11 you met him?

12 A I presume he did because he related -- when I was
13 with Plow Broadcasting, this one thing that kind of stood
14 out on my resume, was the fact that I brought a jock, a
15 famous jock, Rick Dees, to Memphis in the seventies. And I
16 think everybody in the industry kind of knows who he is
17 today. And Mike certainly knew him, and, you know, had some
18 brief conversation about Rick Dees at that time.

19 Q Did you understand that Rice had any -- did Janet
20 Cox or anyone else say anything else to you around the time
21 that you were hired that would indicate what Mike Rice's
22 status was with regard to the stations that you were to
23 manage?

24 A In the hiring process she alluded to the fact that
25 she was the chief operating officer, and that the station

1 was owned, kind of absentee ownership; that it was -- she
2 told me the man's name was Mike Rice, but that he had been
3 ill, and she had taken over as chief operating officer of
4 the company. And that's all

5 Q Did she tell you the nature of his illness --

6 A No.

7 Q -- at that time?

8 A No.

9 Q After you were hired did Rice ever become involved
10 in management decisions while you were general manager at
11 the stations?

12 A Well, on several occasions -- as I say, Mike
13 didn't, after I met him at the Christmas party I did not see
14 him for, I guess, a month, month and a half. And all of a
15 sudden one day he kind of popped in, and took me to lunch.
16 And this was just a further -- this initial lunch was just a
17 further talk about my career in broadcasting, and his
18 career, where he had -- what stations he had worked with and
19 so forth; just kind of a general getting to know one another
20 type meeting.

21 The end results of the meeting was some discussion
22 about the programming of WBOW. He wasn't too happy with the
23 sound of WBOB musically, what they were trying to do, and
24 was asking my opinion of what I thought we should do with
25 it. So that was the first meeting that we had. And as I

1 say, it was no -- no big deal. Very cordial.

2 And a month or so later he came by and we had
3 another lunch, and there was further discussions about WBOB
4 programming.

5 During this period we lost the -- I think Hohlman,
6 Todd Hohlman was the program director of ZZQ. He resigned
7 to take a job down in Florida. I think, somewhere, some
8 other place. And as I recall, the ZZQ kind of went out of
9 PD for a few weeks there while we were trying to find
10 somebody.

11 And on the second meeting or luncheon I had with
12 Mike, Mike said "I know of a rock in St. Louis," or St
13 Charles or one of the small communities, I guess, around St.
14 Louis. I never did know exactly the station he came from.
15 He said, "I think we can get him for the PD of the station."
16 And I didn't have any -- you know, I didn't know the man.
17 You know, I had not interviewed this man so, you know, I had
18 to take Mike's word for it.

19 And we talked further about Chip Hohlman, the
20 program director of WBOW. And Chip, I think, and worked at
21 BOW before, because Mike was -- he said, "He's worked for me
22 before, and I didn't like him then and I don't like him
23 now." So, you know, I took that as as 10-year service was
24 probably on the line.

25 Q This is an individual by the name of Chip?

1 A Chip Ramsey, yeah.

2 Q Okay, you were talking about an individual who
3 Mike had heard in another market.

4 Was this individual's name Mike Steel?

5 A It was.

6 Q And was Mike Steel eventually hired to work at
7 this station?

8 A He was.

9 Q Did you hire him?

10 A I did not.

11 Q Do you know who did hire him?

12 A I assumed either Mike or Janet hired him in St.
13 Louis, in the St. Charles office over there, because they
14 told me, you know, he will be coming. Janet called me and
15 said that he will be coming and get a room at the motel for
16 him, and so forth and so on. Get him set up.

17 Q Did you ever talk to Mike Rice about Mike Steel
18 being hired?

19 A Not other than the fact that he knew this man. He
20 mentioned it, mentioned his name at the luncheon that I had
21 with him, the last luncheon I had with him prior to him
22 coming.

23 Q How long did Mr. Steel work for the station?

24 A The best I can recall, probably two or three
25 months.

1 Q Was he fired?

2 A Yes.

3 Q Who actually did the firing, told him he was
4 fired?

5 A I had to take him out, yes, at the instructions of
6 Ms. Cox.

7 Q Did you talk to Mike Rice about the firing before
8 you fired Mr. Steel?

9 A I'm not sure. I know I had talked -- I know Mike
10 was livid about a change in, a status change in R&R, which
11 is a trade publication of a reporting for music. And this
12 is just -- Mike just went ballistic over this, and Janet
13 told me this, and wanted him out of there immediately.

14 Q Mike wanted him out of there immediately?

15 A Absolutely.

16 JUDGE STEINBERG: "Him" being Steel?

17 THE WITNESS: That's right, sir.

18 BY MR. ZAUNER:

19 Q What actually did Janet Cox state to you? Do you
20 remember her exact words with regard to Mike wanting to get
21 Mr. Steel out of there?

22 A She just said, "Take care of it." She said -- in
23 fact, if my memory serves me correctly, she overnighted his
24 termination paper, check, et cetera, to me to give to him to
25 get him out of there.

1 Q Okay, let's go back to Chip Ramsey for a second.
2 You brought up his name in answering my previous question.

3 A Yes.

4 Q Was Chip Ramsey hired during your tenure as
5 general manager?

6 A No, he was there when I came aboard.

7 Q Now, did you indicate -- you indicated that Mike
8 was not happy with Chip?

9 A As I indicated awhile ago, that he had worked for
10 Mike before, and Mike alluded to the fact that he didn't
11 like him before and he still didn't like him.

12 Q Was Mike fired, Mike Steel? I'm sorry. I'm
13 sorry. Was Chip Ramsey? I'm sorry. I'm getting my names
14 confused.

15 Was Chip Ramsey fired?

16 A I want to say it had to be at the end of the
17 baseball, the college baseball season, which is around the
18 end of April, I think.

19 Q He was fired then?

20 A When the conclusion of. The reason that he could
21 not be taken out prior to then was because the station had a
22 commitment with Indiana State University for Chip to do the
23 play by play of their baseball games, home and away.

24 Q Did you actually do the firing of Chip Ramsey?

25 A I did. Ms. Cox was in town but she had the papers

1 and everything and she said, "Take care of it."

2 Q Were you instructed to fire Chip Ramsey by
3 anybody?

4 A Well, Ms. Cox, yes

5 Q What did Ms. Cox tell you when she instructed you
6 to fire Chip Ramsey? Did she give you a reason?

7 A No. Just, you know, I knew it was coming. It was
8 just a matter of waiting until the baseball season was over,
9 because she and I had had previous conversations about this.
10 Also, I knew how Mike felt about him, that Mike wanted him
11 out of there.

12 Q Can you identify a gentleman by the name of
13 Holler?

14 A Yes. Steve Holler

15 Q Steve Holler.

16 Who was Steve Holler?

17 A Steve Holler is the son of Margaret Holler, who
18 was the bookkeeper or did the logs. I think her title was
19 office manager for the stations. He was living and residing
20 in Florida, and he was -- wanted to come back home or come
21 back to Indiana, and he had had some small amount of
22 experience as a jock in Florida. And we knew -- now, Tom
23 LaSella, another name I am going to introduce in the case --
24 was the program director of BOW at this time when this
25 transpired.

1 Margaret knew we were looking for an announcer for
2 BOW, so she had Steve send an air check to me and I gave it
3 to Tom LaSella to listen to. So we decided to bring him up
4 and put him on. He was a rookie, we knew that.

5 Q Excuse me. Did you make the decision to hire --

6 A I did.

7 Q -- Mr. Holler?

8 A I did. And I talked to Janet about it. No
9 problem.

10 Anyway, he got there, he got on the air. Well,
11 this was in, I want to say, summertime, June, July,
12 somewhere in that ballpark. And Mike was in the process of
13 working on the new transmitter and new signal that BOW was
14 going to. They were moving the frequency from 15 something
15 to 6 something on the dial, a much better frequency. And he
16 was out at the transmitter and they were doing work, what
17 have you.

18 Anyway, the first day this kid is on the air Mike
19 heard him. He called me on the phone. "I want him off the
20 radio. He isn't worth a damn. Get him off the radio."
21 Boom-boom.

22 I was really upset about this because, I mean,
23 let's give him a chance. You know, the man is really -- you
24 know, his first day on the job and you are going to shoot
25 him. It didn't make a lot of sense to me. Because I had

1 hired a lot of rookies in radio, and they develop and work
2 into and become good, professional announcers. But he
3 wanted me to -- there was no way, there was no chance I
4 could do this, because Mike later came to the station, and
5 this was one of the few times that I really -- he came into
6 my office and I really confronted him.

7 I told him, I says, "Why?" I said, "You're not
8 giving him a chance. He just started."

9 "I don't give a damn Get him off the station."
10 Boom.

11 So Tom LaSella put him in dummy cards and doing so
12 menial jobs, but took him off the air. And I think he
13 worked for a week or 10 days, something like that. And he
14 left, and I had to take him out

15 Q It was your understanding then that Mike Rice had
16 the authority to order someone fired?

17 A I had no problem with that.

18 Q You understood that he --

19 A Janet later, you know, later that day Janet called
20 and said, "Get rid of him," boom, boom, boom. Because I
21 know exactly what happened, the scenario was Mike called
22 Janet and Janet sent the paper work.

23 JUDGE STEINBERG: This was the summer of '92?

24 THE WITNESS: Yes, sir

25 JUDGE STEINBERG: And the scenario was -- the

1 chronology was Mr. Rice basically told you to get rid of Mr.
2 Holler?

3 THE WITNESS: That's right.

4 JUDGE STEINBERG: And then later on Janet Cox --

5 THE WITNESS: Janet Cox, you know, concurred with
6 him, get rid of him.

7 JUDGE STEINBERG: Okay.

8 THE WITNESS: And she sent the appropriate paper
9 work.

10 BY MR. ZAUNER:

11 Q Then did you go through the process of firing Mr.
12 Holler?

13 A I did.

14 Q Can you identify an individual by the name of Mark
15 Bianchi?

16 A Yes.

17 Q Who is Mark Bianchi?

18 A He was known on the air Mark Savage. That was an
19 air name that he used.

20 Q He was an announcer then for the station?

21 A Program director

22 Q Program director.

23 He had also done some announcing?

24 A Oh, he pulled an air shift, yes, sir, as did all
25 the program directors.

1 Q Had you hired Mr. Bianchi?

2 A I did.

3 Q And for what position?

4 A Program director of WZZQ.

5 Q In your opinion, was he a good employee?

6 A Excellent.

7 Q Was it your idea to -- was Bianchi subsequently
8 fired?

9 A In November.

10 JUDGE STEINBERG: 192?

11 THE WITNESS: Yes, sir.

12 BY MR. ZAUNER:

13 Q Was it your idea to fire Bianchi?

14 A It was not.

15 Q Did you ever tell Cox that you wanted to fire him,
16 Janet Cox?

17 A No.

18 Q Was Mike Rice happy with Bianchi?

19 A At first he was very happy with him, very happy.

20 Q What happened?

21 A I am not really sure. I am not really sure.

22 As I mentioned, alluded to earlier, the FM
23 programming was -- I was involved but yet I wasn't on a day-
24 to-day involvement with it.

25 The young man that we alluded to awhile ago from

1 Columbia, Missouri, was a so-called corporate program
2 director, I guess, of the FM station.

3 JUDGE STEINBERG: That was Mr. Kellogg?

4 THE WITNESS: Um-hmm, Chris Kellogg. That's the
5 name I knew him by.

6 Apparently Bianchi, or Savage, had gotten into
7 some conflict with Kellogg, and Mike got into it, and then I
8 think this is what caused his demise at the station.

9 BY MR. ZAUNER:

10 Q Did Rice ever speak to you personally about
11 Bianchi?

12 A He later came in and said he wasn't really happy
13 with him. He said -- in fact, he brought Kellogg over a
14 couple of times to so-call straighten him out. He didn't
15 think the music was right, whatever.

16 As I said, my background in radio and management
17 was, you know, basically sales and administrative. I was
18 not a programmer. I didn't come from that side of the ship,
19 so to speak. I knew programming, but usually most stations
20 I managed had a program director that took care of the
21 programming, kept it on target. If the ratings dropped,
22 then I stepped in, why, you know, and so forth. And a lot
23 of times you had consultants, and what have you, that are
24 involved in regard to programming.

25 So this -- I just threw that in to let you know my

1 position in the situation.

2 Q Did Rice -- were you eventually given instructions
3 to fire Mr. Bianchi?

4 A I was.

5 Q Who gave you those instructions?

6 A Well, Mr. Rice and Ms. Cox came to Terre Haute
7 together, and Mike maintained an office there in the
8 building. He didn't use it very often. Just a place to
9 hang his hat, i guess, when he was in town.

10 But when they got there, I had no idea that they
11 were going to dump him. But they called me back to this
12 office and Janet and Mike said, Mike said, "You and Janet go
13 down there and get him out of here."

14 Q I'm sorry. I missed that. I was making a note.
15 Please excuse me.

16 A Mike told Janet and I to go down and take care of
17 Bianchi, get him out of here.

18 Q When Janet Cox and Mike Rice came, were they with
19 anyone else that you can remember?

20 A It seems like there was somebody else back in the
21 office. I don't remember. I really don't. I was a little
22 perturbed about all this. And Kellogg may have been there.
23 I really -- if he was, it didn't hit me at the time.

24 Q Did you and Janet Cox go and fire Bianchi?

25 A We did.

1 I spoke the words and she passed out the paper
2 work.

3 Q After firing Mr. Bianchi, did you return to meet
4 with Mr. Rice?

5 A We did.

6 Q Did you have any conversation with Mr. Rice about
7 the firing of Mr. Bianchi?

8 A Briefly. Told him that I, you know, I wasn't
9 particularly happy about it. Mike was very gloating over
10 the fact that -- he said, "That ought to give you a sense of
11 power." But as I say, I am not -- I am not an individual
12 that likes to fire anybody, and particularly without giving
13 somebody every opportunity to correct whatever problems
14 there may be.

15 Q When you went back and reported to Mr. Rice after
16 firing Bianchi, was there anybody else besides you and Ms.
17 Cox in the room that you remember?

18 A When we fired Bianchi?

19 Q When you came back and met with Mr. Rice back in
20 his office.

21 A It seems like there was, but, as I say, I don't
22 remember who it was. I just don't remember.

23 Q I think you have gone into this somewhat, but with
24 regard to Chris Kellogg, what was his authority, again, with
25 regard to WBOW-AM?

1 A None.

2 Q None.

3 And with regard to WZZQ?

4 A He was on the air in Columbia is my understanding.
5 He was on the air and was the program director over their
6 station in Columbia that was formatted almost identical to
7 WZZQ. Mike was very much taken with Chris Kellogg as being
8 an excellent program director and what have you. Thus, used
9 him as a -- as kind of a corporate advisor to the Terre
10 Haute station.

11 This was met, I might add, with a lot of
12 resistance from the various program directors over there.
13 The program directors are a different breed.

14 Q Did Janet Cox ever tell you what Chris Kellogg's
15 authority was with regard to WZZQ?

16 A Only that of a consultant; someone to come in and
17 if the thing got out of alignment, to come in and straight
18 it up.

19 Q Did Mike Rice ever tell you --

20 A The same thing.

21 Q Did there come a time when your employment was
22 terminated by Contemporary Media, Inc.?

23 A Beg your pardon?

24 Q Did there come a time when your employment was
25 terminated?

1 A Unfortunately, yeah

2 Q Were you in fact fired by them?

3 A I was.

4 Q How did you first learn that you were to be fired?

5 A Well, I had been on a sales call, and I had just
6 returned to the station and was sitting in my office writing
7 an order. And Janet and Mike came into the station. They
8 didn't say hello. And they walked straight into my office
9 and set on the two chairs in front of my desk.

10 And I told them. I said, "I'll be with you in a
11 minute." I was on the phone actually taking an order. And
12 I finished the phone call, and I finished writing up the
13 order, gave it to Mrs. Holler. came back, and I said --
14 there was kind of a little joke around the station because
15 so many people had exited at their hands around this time,
16 particularly with the firing of Bianchi.

17 And I said, "Who are we all taking out today? Who
18 are you all shooting today?"

19 And he said, "You." Mike said that.

20 And I said, "Why?"

21 And he said, "Change in direction." That's all he
22 would say.

23 And they sat in the office and wanted me to gather
24 up my personal belongings while they sat there. I told them
25 I can't do this. I said, "I've got to go downstairs and get

1 something to put my belongings in."

2 Mike charges downstairs and comes up with a couple
3 of boxes, and they proceed to sit there while I load my
4 personal effects out of the station for awhile, and then
5 Mike finally got up and left. Where he went, I'm not sure.

6 And I said, "Why, Janet?"

7 And she said, "I think it's because BOW's numbers
8 were not what they should have been." That's all she had to
9 say. But she referred to Mike's displeasure with BOW
10 financial figure.

11 Q Let me go back for a moment to the firing of Mr.
12 Bianchi.

13 A Yes.

14 Q Around what time of the year did that occur?

15 A I want to say around Thanksgiving, or just prior
16 to Thanksgiving, somewhere along in there.

17 Q Did you ever raise any objection with Mike Rice or
18 Janet Cox -- let's take them one at a time. Did you ever
19 raise any objection with Mike Rice about the firing of
20 Bianchi?

21 A I just -- I questioned it, and he said that he's
22 just way off base, and Kellogg said that he is not doing his
23 job.

24 Q Did you raise the fact that Mr. Bianchi's wife was
25 pregnant at the time or any of those kind of things?

1 A I did not. I did not I think she was just
2 pregnant. You know, I don't think she was -- to my
3 knowledge, she was not far, very far along.

4 Q But you didn't raise this with Mr. Rice?

5 A I did not.

6 Q Did Janet Cox travel to the stations on a regular
7 basis?

8 A Oh, I would say every six weeks or so.

9 Q Would she hold a meeting with yourself and other
10 staff members?

11 A Well, she got involved. She would like to sit in
12 on sales meetings. She would always try to make it on
13 Mondays when we had sales meetings, Monday mornings, in a
14 lot of cases.

15 Q How frequently would these meetings occur? Would
16 it be monthly, ever three months that she would come to the
17 station?

18 A About every six weeks, or approximately. I can't
19 be sure. I mean, there was no prescribed time that she
20 would do this.

21 Q During your stay at the station, did she ever come
22 and discuss Mike Rice, that you can recall?

23 A No. Well, Mike's situation was never told to me
24 by Janet Cox. It was told to me by a salesman.

25 Q Did she ever indicate --

1 A I was really upset about that, I might add.

2 JUDGE STEINBERG: Okay, you were upset about what,
3 about his situation or about you not being told by Janet?

4 THE WITNESS: In the hiring process when I was
5 hired I was not told of Mike's situation. And some six
6 weeks later a salesman walks into my office, and one of my
7 salesmen comes in and says, "You don't know about Mike Rice,
8 do you?"

9 And I said, "What about him?"

10 He proceeded to tell me.

11 BY MR. ZAUNER:

12 Q What did he tell you?

13 A Told me that he was under indictment for child
14 molestation. I couldn't believe it because -- let me say
15 this. I would not have taken the job had I know this on the
16 front end. I would have had maneuverability and other
17 options at that time. That after having moved from San
18 Angelo, Texas, to Terre Haute, Indiana, I was not
19 financially in a position to just up root and say to hell
20 with it, I'm quitting. I couldn't do it.

21 Q During any of these meetings, did -- going back to
22 the meetings at your station -- did Janet Cox ever indicate
23 that Mike Rice had been excluded from the management of the
24 stations?

25 A No.

1 Q Did you ever talk to Janet Cox about Mike Rice's
2 involvement in the stations?

3 A Later. After I was told about it, she came
4 shortly thereafter in one of her meetings, one of her trips
5 over to Terre Haute. I sat down and talked to her at length
6 about it, and she says, "Well, he's just indicted. They
7 don't know when he's going to be convicted," and so forth
8 and so on. It was kind of a passing type conversation.

9 And I said, "But, Janet, the publicity," which,
10 you know, I came in after apparently all the publicity had
11 hit the newspaper and TV stations in Terre Haute about all
12 of this. I didn't know about all this. And I said, "It's
13 put the sales development in a hell of a disadvantage
14 because there are a lot of accounts in this city ain't
15 buying from me. Sorry. If he's the last man on earth, I
16 ain't buying from him."

17 Now, I have tried to defend Mike in this situation
18 because, even though, you know, he had kind of a tainted
19 affair about the whole thing, I firmly believe that a man is
20 innocent until he is proven guilty. And, you know, I told
21 him, I said, you know, "Being indicted and being convicted
22 are two entirely different animals." And I actually tried
23 to defend his situation, to try to diffuse a lot of the
24 animosity that was toward him and the station in Terre
25 Haute.

1 Q Did you ever discuss with Janet Cox the fact that
2 Mike Rice had been giving you instructions to do things and
3 ask her to clarify his authority?

4 A Well, Janet and I had pretty free conversations.
5 You know, she would call, I would talk to her once or twice
6 every week. And if Mike was in town, a lot of times some of
7 the discussions that if Mike wanted something done, you
8 know, I would convey it to her, because I felt an open line
9 of communication between her and I and Mike was totally in
10 order, so I had been talking with her.

11 Q What would be the kind of things that Mike would
12 want done that you would convey to Janet Cox?

13 A Well, and this is probably aside from the
14 broadcast element. The building that Mike owned, the radio
15 station then had a -- a portion of the building was for
16 lease. And I had to -- I had to show this building on
17 several occasions to prospective tenants. And Mike would
18 get involved with me in making sure that the building was
19 cleaned up and so forth and so on. There were just a lot of
20 little things like that.

21 Q Did she ever tell you -- remind you that Mike owns
22 the stations and could do what he wants with them?

23 A Yeah, I just assumed that. I mean, the man owned
24 the property. You know, he could -- if he told me to turn
25 it off, I would turn it off. He was the boss.

1 Q When was the first time that you learned that Mike
2 was to be insulated from the station management at the time
3 that you were general manager of the station?

4 A When I talked to you the first time. It was some
5 month and a half ago, I guess

6 Q Did Mike Rice ever give you any instructions
7 directly regarding programming or station format?

8 A With regard to -- with regard to BOW, yes. In
9 other words, he brought quite a bit of his own library in,
10 and we both agreed that the formatics should be thus and so,
11 and all the efforts were pointed in that direction. He even
12 had me call Satellite Music Network in Dallas to try to get
13 the -- try to get that situation set for BOW.

14 I got a contract sent to us for it, but Mike
15 didn't -- felt the money was too high, so we didn't do it.

16 Q How did Mike know that the money was too high?
17 Did you provide him with a copy of the contract?

18 A I did. I sent it to Ms. Cox, and Mike, I guess,
19 you know, he asked me to send it when I got the contract
20 send it over there, and I did

21 Q And then how did you learn that Mike thought the
22 money was too high?

23 A Janet called me and said we're not going to do it.

24 Q And did she tell you that it was Mike that said
25 not to do it?

1 A Yeah, he said it was too high, the cost was too
2 high; that he could do it cheaper himself.

3 Q And by the "he," you are referring to Mike Rice?

4 A Bringing his own music in and carding it up, doing
5 the same basic format.

6 Q So the contract was rejected then?

7 JUDGE STEINBERG: What's the answer to that last
8 question? I'm losing my voice. Did you hear my question?
9 My question was what was the answer to that last
10 question?

11 THE WITNESS: Yes

12 Let's go back and kind of rephrase it. You asked
13 what -- go back and ask me again what we were talking about.

14 BY MR. ZAUNER:

15 Q We were talking about the contract and --

16 A About the contract with Satellite Music Network,
17 the contract was refused. Mike wouldn't sign it, nor would
18 Ms. Cox sign it because Mike felt that the price was too
19 high.

20 JUDGE STEINBERG: Okay, and Ms. Cox told you that?
21 That's a yes?

22 THE WITNESS: Um-hmm. Right.

23 JUDGE STEINBERG: You have to answer yes or no
24 because the transcript, if an answer "um-hmm," or something
25 like that doesn't really --

1 THE WITNESS: I'm sorry.

2 JUDGE STEINBERG: That's okay. It just doesn't
3 register that well. You're going to hire me for one of your
4 shifts.

5 (Laughter.)

6 MR. ZAUNER: Your Honor, that concludes the
7 Bureau's direct case. I'm sorry, let me withdraw that.
8 Boy, wasn't that a slip?

9 That concludes the Bureau's cross -- direct
10 examination.

11 JUDGE STEINBERG: Now, you're going to think
12 that's an admission.

13 MR. GAFFNEY: We will stipulate to that, Your
14 Honor.

15 (Laughter.)

16 JUDGE STEINBERG: You're going to put that page
17 right in the joint appendix.

18 MR. ZAUNER: As neutrally as I can, that concludes
19 the Bureau's examination of Mr. Rhea.

20 MR. GAFFNEY: And in that vein, Your Honor, I
21 would move to strike all of the testimony for the same
22 grounds that I moved to strike the testimony of Mr. Hanks.
23 If Your Honor would like me to go through those reasons
24 again, I will.

25 JUDGE STEINBERG: You can incorporate by